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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

IN RE: TOYOTA MOTOR CORP.  
UNINTENDED ACCELERATION  
MARKETING, SALES PRACTICES,  
AND PRODUCTS LIABILITY  
LITIGATION

Case No. 8:10ML2151 JVS (FMOx)  
PLAINTIFFS' MEMORANDUM  
REGARDING ORDER  
APPOINTING SPECIAL MASTERS

This Document Relates To:

ALL CASES

1 The parties have met and conferred on the subject of an order outlining the  
2 Special Masters' duties, responsibilities and procedures. This memorandum  
3 addresses the few issues of dispute. Plaintiffs' version of the order has been filed in  
4 red-line showing the two areas of dispute.

5  
6 **A. The Procedure for the Hearing of Motions Should be up to the Special Master**

7 Section III A & B of the proposed order deals with the procedures for  
8 resolving discovery disputes. Toyota proposes that disputes can be resolved  
9 informally only with the consent of both parties. If one party does not consent the  
10 default is resolution according to Local Rules. The Local Rules stretch out the  
11 process by as much as 31 days (ten to meet plus 21 for a hearing date).

12  
13 Plaintiffs propose that the Special Masters can decide without mutual consent  
14 whether to follow Local Rules or resolve the matter on other informal procedures. If  
15 consent is required resolution could be delayed simply by one party refusing to  
16 consent. Delaying each discovery dispute by 31 days is inconsistent with the  
17 objective of moving this case forward expeditiously.

18  
19 **B. The Timing of Review of Rulings by the Special Master**

20 Section IV deals with the process of review of an order by a Special Master.  
21 Toyota proposed a party would have up to 21 days to file an objection. Plaintiffs  
22 believe a party can accomplish such a filing within five (5) days. The matter will  
23 already have been briefed and all that remains is to brief why the Special Master  
24 erred. Surely this can be accomplished in five days.  
25  
26  
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28

1 DATED: July 26, 2010.

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**PROOF OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party through the Court's electronic filing service on July 26, 2010.

/s/ Steve W. Berman

Steve W. Berman